

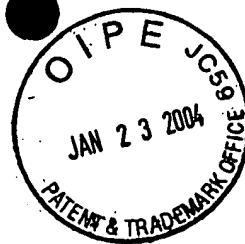


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JAN 28 2004

Technology Center 2600

Application No. : 2,343,661
Owner : AVAYA TECHNOLOGY CORP.
Title : METHOD AND APPARATUS FOR IMPROVING THE
INTELLIGIBILITY OF DIGITALLY COMPRESSED SPEECH
Classification : G10L-21/00
Your File No. : 46365
Examiner : Leah Smith

YOU ARE HEREBY NOTIFIED OF :

- A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SUBSECTION 30(2) OF THE *PATENT RULES*;
- A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SECTION 29 OF THE *PATENT RULES*.

IN ORDER TO AVOID **MULTIPLE ABANDONMENTS** UNDER PARAGRAPH 73(1)(A) OF THE *PATENT ACT*, A WRITTEN REPLY **TO EACH REQUISITION** MUST BE RECEIVED WITHIN **6 MONTHS** AFTER THE ABOVE DATE.

This application has been examined as originally filed.

The number of claims in this application is 30.

The examiner has identified the following defects in the application:

Reference Applied:

Canadian Patent
1,333,425

Dec. 6, 1994

Ozawa

Ozawa discloses an encoding device which divides a speech signal into frames, analyses the spectral content of the frames to determine a sound type of the frame, and modifies the frame base on its sound type.

Canada

OPIC  CIPO

The claims on file do not comply with Section 28.3 of the *Patent Act*. The subject matter of these claims would have been obvious on the claim date to a person skilled in the art or science to which they pertain having regard to Ozawa.

Claim 6, 28 is indefinite and does not comply with Subsection 27(4) of the Patent Act. The expression "when said frame is determined to include an unvoiced plosive" (a similar expression is found in claim 28) is confusing. It is not clear if the first sound type is an unvoiced plosive.

Claim 27 is indefinite and does not comply with Subsection 27(4) of the Patent Act. The expression "typically less intelligible" is vague.

In view of the foregoing defects, the applicant is requisitioned, under Subsection 30(2) of the Patent Rules, to amend the application in order to comply with the Patent Act and the Patent Rules or to provide arguments as to why the application does comply.

Under Section 29 of the *Patent Rules*, applicant is requisitioned to provide an identification of any prior art cited in respect of the United States application describing the same invention on behalf of the applicant, or on behalf of any other person claiming under an inventor named in the present application, and the patent number, if granted. Amendment to avoid references cited abroad may expedite the prosecution. In accordance with Subsection 29(3) of the *Patent Rules*, if the particulars are not available to the applicant, the reason why must be stated.

Under Section 29 of the *Patent Rules*, applicant is requisitioned to provide an identification of any additional art cited during the prosecution of the European Patent Office application describing the same invention on behalf of the applicant, or on behalf of any other person claiming under an inventor named in the present application, subsequent to the European Search Report of Oct. 2, 2002. Similarly, the applicant is requisitioned to provide particulars of conflict, opposition, re-examination or similar proceedings affecting this European Patent Office application. In accordance with Subsection 29(3) of the *Patent Rules*, if there are no such proceedings, this must be stated.

Leah Smith
Patent Examiner
819-956-9966

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